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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,509	12/05/2003	Claude Dube	87367.1800	7856

7590

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EXAMINER

HAWK, NOAH CHANDLER

ART UNIT

PAPER NUMBER

3637

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/727,509	Applicant(s) DUBE ET AL.	
	Examiner Noah C. Hawk	Art Unit 3637	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/5/03</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION***Drawings***

1. The drawings filed on 3/10/04 are objected to under 37 CFR 1.83(a) because they fail to show the "stopping elements" disclosed on page 7 or the "actuation bar" disclosed on page 13 of the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “lower supporting structure of the cabinet” recited in Claim 13 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The abstract of the disclosure is objected to because the abstract contains the legal phraseology "comprising" in line 2. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In Claim 1, the phrases "during opening of a corresponding one of the drawers" and "during closing of a corresponding one of the drawers" render the claim indefinite. The instant claim as well as its dependent claims recite an "interlocking system" but include language describing the drawer on which the system is to be mounted. It is unclear whether the applicant intends to claim the interlocking system alone or the combination of the interlocking system and the drawers and associated cabinet. For the purposes of this examination, the Office interprets claim 1 and any dependent claims to be directed only to the interlocking system. Any language regarding the drawer or cabinet will not be considered.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

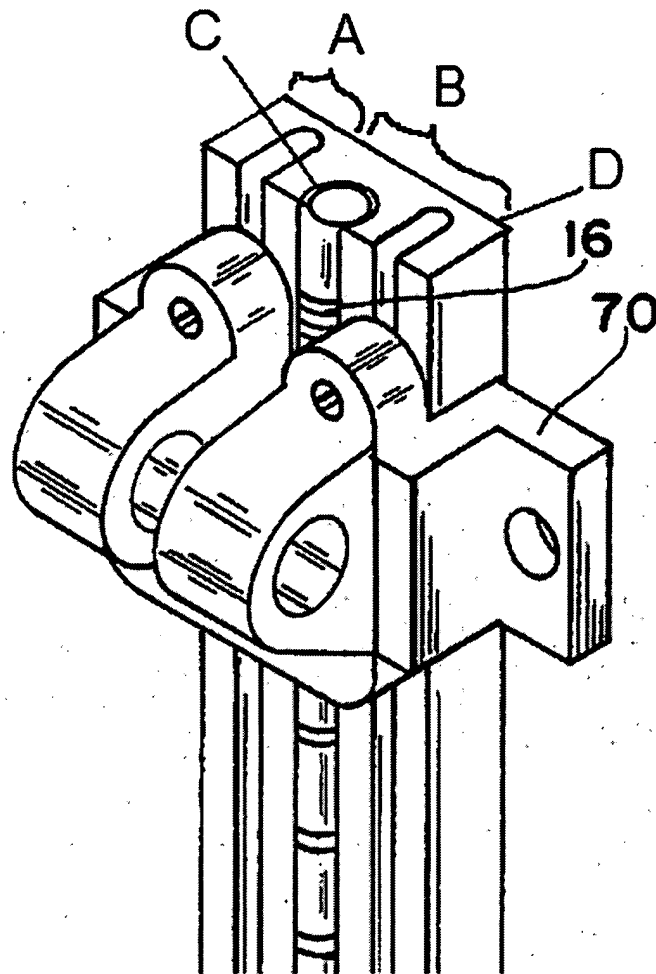
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claim 1, 2, 9, 10, 12, 14-16, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Lakso in US Patent 4854653.

a. Regarding Claim 1, Lakso teaches an interlocking system for preventing simultaneous opening of drawers of a cabinet, comprising activation members (60) respectively affixable to back sides of the drawers; guide supports (20) respectively affixable in the cabinet behind the drawers, in respective registration with the activation members; an elongated track member (groove C, best seen in Lakso, Figure 1 detail, below) affixable in the cabinet on a side of the guide supports; a series of mobile blocks (14) slidably guided by the track member, the track member limiting the blocks to a partial displacement to produce a space between any two of the blocks; carriage members (30) respectively mounted on the guide supports, the carriage members being movable transversely to the track member, the carriage members respectively having bolt elements (50) projecting towards the track member and drivable one at a time in the space produced by the partial displacement of the blocks by sliding of the carriage members towards the track member; and coupling means (the

combination of 36, 40 and 64) respectively extending between the activation members and the carriage members for sliding one of the carriage members towards the track member using pulling motion of a corresponding one of the activation members during opening of a corresponding one of the drawers (the edge 44 of the carriage member moves toward the track member during the opening of a drawer), provided that the space is vacant for receiving the bolt element of said one of the carriage members, and sliding said one of the carriage members away from the track member using pushing motion of said one of the activation members during closing of said corresponding one of the drawers.



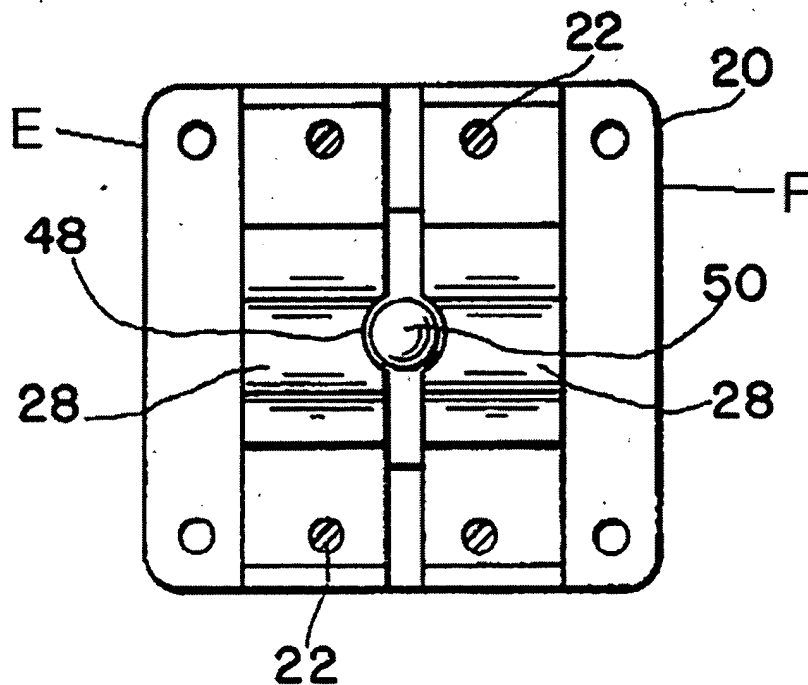
Lakso, Figure 1 (detail)

- b. Regarding Claim 2, Lakso further discloses that the coupling means (the combination of 36, 40 and 64) comprise guiding groove (the "apertural leaf" 64) and pin arrangements (pins 36 and 40) distributed between the activation members and the carriage members.
- c. Regarding Claim 9, Lakso discloses that the device further comprises a mounting structure (12) having opposite first (A, best seen in

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Lakso, Figure 1 detail) and second (B, best seen in Lakso, Figure 1 detail) mounting rails affixable in the cabinet behind the drawers and between which the guide supports are mountable (see Lakso, Column 2, lines 27-29), second mounting rail (B) providing a support structure for the track member (C).

d. Regarding Claim 10, Lakso further discloses that the guide supports have first (E) and second (F) opposite ends respectively attachable to the mounting rails (see Lakso, Column 2, lines 27-29) at adjustable heights along the mounting rails.



Lakso, Figure 7

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- e. Regarding Claim 12, Lakso further discloses that the mounting structure has a back wall (D) extending between the first and second mounting rails.
- f. Regarding Claim 14, Lakso further discloses that the elongated track member has a longitudinal side channel (C) and the mobile blocks comprise rods (14) slidably fitting in the side channel.
- g. Regarding Claim 15, Lakso further discloses that the rods have opposite tapered ends facilitating insertion of the bolt elements between the rods (best seen in Lakso, Figures 5 and 6).
- h. Regarding Claim 16, Lakso further discloses that the bolt elements (50) have beveled edges facilitating insertion of the bolt elements between the mobile blocks (in this case, the round edges of the bolts 50 are taken to be sufficiently beveled so as to facilitate insertion).
- i. Regarding Claim 18, Lakso further discloses that the activation members have clipping means (62) for clipping the activation members to the back sides of the drawers.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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9. Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lakso as applied to claim 2 above. Lakso discloses that each guiding groove and pin arrangement comprises a pin means (36 and 40) extending on a front side of a corresponding one of the carriage members and a groove means extending on a rear side of a corresponding one of the activation members, the pin means being engageable in the groove means and being guided therein upon pulling and pushing motions of the corresponding one of the activation members. Lakso does not disclose that the groove means is slanted or that the groove means have a flared opening. However it would have been obvious to one of ordinary skill in the art at the time of invention to modify the groove of Lakso by making it slanted in order to provide a smoother interaction between the pin and groove means. Lakso does provide a flared opening on the pin means (see surface 42 on pin means 40) in order to provide easier engagement with the groove. It would have been obvious to one of ordinary skill in the art at the time of invention to also provide the groove with a flared opening in order to provide easier engagement with the pin means.

Allowable Subject Matter

10. Claims 4, 6, 7, 8, 11, and 17 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lakso in US Patent 4770476, Stark, Higuera et al., Law et al., Cheng, Friend, Kruse et al., Hegg et al., Chen, Wen, McGregor, Kahara et al., Haunost, Stockov disclose drawer interlock systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Noah C. Hawk whose telephone number is 571-272-1480. The examiner can normally be reached on M-F 9am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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1/19/2006

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